

IN THE CIRCUIT COURT IN AND
FOR THE SECOND JUDICIAL
CIRCUIT

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 2008-03

IN RE: **APPOINTED COUNSEL: EXTRAORDINARY RATES**

WHEREAS, section 27.425, Florida Statutes, has been created and mandates certain responsibilities of the Chief Judge regarding services of appointed counsel, and

WHEREAS, section 27.5304, Florida Statutes has been amended to include limitations on compensation of appointed counsel, the Justice Administration Commission's functions, and the court's duties with regard to the reasonableness of all billings for attorney's fees, costs and related expenses, and

WHEREAS, section 27.5304, Florida Statute, provides for payment in excess of the statutory limits for the rare occasions where a case requires extraordinary and unusual effort,

It is therefore **ORDERED** that:


1. Counsel appointed on or after the effective date of the 2007 statutory flat rates seeking compensation that exceeds the limits prescribed in section 27.5304(5), (6), and (7), Florida Statutes and the General Appropriations Act must comply with the requirements of section 27.5304, Florida Statutes before filing a motion requesting an order approving such payment.

2. Any motion requesting a case to be declared extraordinary and unusual for the purpose of securing an order authorizing a fee in excess of the statutory flat rates shall be captioned "Motion to the Chief Judge to Declare Case to Be Extraordinary" and shall be filed with the clerk of court in the county in which the case is pending.



3. Upon the filing of such a motion, the respective Clerk of Court is hereby directed to immediately forward the motion to the Chief Judge for disposition under the provisions of section 27.5304(12), Florida Statutes (2007).

DONE AND ORDERED in Leon County, Florida this 1st day of February, 2008.


CHARLES A. FRANCIS
Chief Judge

Copies provided to:
All Judges, Second Judicial Circuit
All Clerks of Court, Second Judicial Circuit
State Attorney
Public Defender
Stephen Presnell, Esq.
Ethan Way, Esq., President of FACDL
Jeffery Lewis, Esq., Regional Counsel

